



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,867	04/14/2004	Chuan-Jen Wu	24061.48 (2003-0059)	6172
42717	7590	10/21/2005	EXAMINER	
HAYNES AND BOONE, LLP			PATEL, RAMESH B	
901 MAIN STREET, SUITE 3100			ART UNIT	
DALLAS, TX 75202			PAPER NUMBER	

2121

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/823,867	Applicant(s) WU ET AL.	
	Examiner Ramesh B. Patel	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/14/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

4

DETAILED ACTION

1. Claims 1-13 are presented for examination.
2. The claims and only the claims form the metes and bounds of the invention.
"Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 4/14/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

5. Claim 1 is objected to because of the following informalities:

Claim 1, line 9, the term "he" should be "the".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Temmyo et al. (US Patent 5,283,896).

As to claims 1, 4 and 13, Temmyo teaches the invention including a computerized method, system and a computer program stored on a readable medium for controlling parallel distributed processes in a manufacturing environment, comprising: providing a plurality of places associated with a plurality of process conditions, wherein each place has at most one input path and one output path (see, figures 2 and 4A-8 and col. 2, lines 37-63); providing a token for identifying the status of at least one of the plurality of process conditions (see, abstract and figures 2-8 and col. 1, line 51 to col. 2, line 11 and col. 7, line 35 to col. 8, line 40); connecting the places

Art Unit: 2121

with a plurality of arcs, the arcs adapted for identifying a route for each token and wherein each place includes at most one input path and one output path (see, figures 1-2 and 12-19d); and identifying conditions from the plurality of process conditions for each token to advance along one of the paths to a different place (see, figures 2-8 and col. 1, line 51 to col. 2, line 11 and col. 7, line 35 to col. 8, line 40).

As to claim 2, Temmyo teaches the method and the system further comprising providing a plurality of transitions associated with at least one of the plurality of processes, but separate from the places wherein the places and transitions are interconnected with the plurality of arcs and wherein each transition can have a plurality of input paths and/or output paths (see, abstract and figures 1-2 and 12-19d and col. 1, line 51 to col. 2, line 61 and col. 7, line 35 to col. 8, line 40).

As to claim 3, Temmyo teaches the method and the system wherein the manufacturing environment is a semiconductor fab, and where each of the transitions represents a semiconductor processing operation and an associated computer/data collection process (see, figures 2-8 and col. 1, line 51 to col. 2, line 40 and col. 7, line 35 to col. 8, line 40).

As to claims 5-8, Temmyo teaches the method and the system wherein the application processes support a plurality of batch jobs, each of the batch jobs being responsive to a transition start synchronization received from the PN center and

Art Unit: 2121

following a PN center's request to either process or sleep and further comprises a remote controller adapted for remote user control of PN center for automated control and wherein remote controller and PN center share information through network (see, abstract and figures 1-2 and col. 1, lines 9-40).

As to claims 9-12, Temmyo teaches the method and the system wherein the remote controller includes a GUI program which can be used to start a job, query a job running status, and maintain the description file by sending a request command to the PN center wherein the description file includes a job flow PN description file and a plurality of PN nets wherein the plurality of agents are configured to receive a request from the PN center to activate the application processes (see, figures 1-2 and 4-8 and col. 1, line 51 to col. 2, line 61 and col. 7, line 35 to col. 8, line 40).


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2121

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 571-272-3688. The examiner can normally be reached on M-Th; 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ramesh B. Patel
Primary Examiner 10/17/05
Art Unit 2121

rp